PART IV

SECTION—1-A

CENTRAL BILLS AND REPORTS OF SELECT COMMITTEES THEREON

NOTIFICATION.

DEPARTMENT OF LAW AND PARLIAMENTARY AFFAIRS.

No. LAW 91 LCA 68, dated Bangalore, 27th December 1968

Ordered that the Telegraph Wires unlawful possession (Amendment) Bill, 1968 (Bill No. XXIV of 1968), which has been published in the *Gazette of India*, Extraordinary, Part II, Section 2, dated the 29th July 1968 be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

B. RAMACHANDRA RAO,
Under Secretary to Government,
Department of Law and
Parliamentary Affairs.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 29th July, 1968:—

BILL No. XXIV OF 1968

A Bill further to amend the Telegraph Wires (Unlawful Possession) Act, 1950.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Telegraph Wires (Unlawful Possession) Amendment Act, 1968.

2. **Amendment of section 2.**—In section 2 of the Telegraph Wires (Unlawful Possession) Act, 1950 (74 of 1950) (hereinafter referred to as the principal Act), for clause (*b*), the following clause shall be substituted, namely :-

(*b*) "telegraph wire" means any copper wire the gauge of which, as measured in terms of diameter in millimetres, is between 2.43 and 2.53, or between 2·77 and 2·87, or between 3·42 and 3·52.,

3. **Amendment of section 5.**—In section 5 of the principal Act, for clause (*a*), the following clause shall be substituted, namely :—

"(*a*) for the first offence, with imprisonment for a term which may extend to five years, or with fine, or with both and in the absence of special and adequate reasons to be mentioned in the judgement of the court, such imprisonment shall not be less than one year and such fine shall not be less than one thousand rupees ;".

4. **Amendment of section 7.**—In section 7 of the principal Act, in sub-section (1), for the words "by an officer specially empowered in this behalf by that Government", the words "by an officer authorised in this behalf by the Central Government by general or special order" shall be substituted.

Statement of Objects and Reasons.

The Telegraph Wires (Unlawful Possession) Act, 1950, was enacted mainly with the object of simplifying the procedure for prosecution and conviction of persons accused of thefts of telegraph copper wires. In the light of the working of the Act, section 5 thereof was amended in 1962 to provide for a minimum punishment for the second and subsequent offences under the Act by the same set of persons. This amendment has not, however, achieved the desired deterrent effect. It is, therefore, proposed to prescribe minimum punishment even for the first offence under the Act, so as to curb more effectively the continuing thefts of telegraph copper wire in the country.

2. Under section 7 of the Act, only officers who are specially empowered in this behalf are competent to lodge complaints under the Act in a court. Such a procedure has proved cumbersome and entails constant revision of the list of such officers. It is, therefore, proposed to simplify the procedure by providing for issuing also general orders in this behalf.

3. The opportunity is taken to amend the definition of the expression "telegraph wire", so as to specify therein the metric system of units and to bring it in line with the new Indian Standard Specification for telegraph copper wire.

4. The Bill is intended to give effect to the above objects.

NEW DELHI;
The 23rd May, 1968.

RAM SUBHAG SINGH.

B. N. BANERJEE,
Secretary.

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